

SENATE BILL REPORT

SB 5084

As Amended by House, April 5, 2007

Title: An act relating to rail transit safety plans.

Brief Description: Updating rail transit safety plan provisions to comply with federal regulation.

Sponsors: Senators Murray, Swecker, Haugen and Delvin.

Brief History:

Committee Activity: Transportation: 2/06/07, 2/12/07 [DP, w/oRec].

Passed Senate: 3/12/07, 48-1.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker, Ranking Minority Member; Berkey, Clements, Delvin, Eide, Holmquist, Jacobsen, Kastama, Kauffman, Kilmer, Pflug, Sheldon and Spanel.

Minority Report: That it be referred without recommendation.

Signed by Senator Benton.

Staff: Martha Hankins (786-7429)

Background: The Federal Transit Administration (FTA) requires that states provide oversight of rail transit safety. In Washington, the Washington State Department of Transportation (WSDOT) is the agency responsible for safety oversight of rail transit systems.

FTA regulations covering fixed guideway rail transit apply to light rail, monorail, streetcars, and other rail-based transit systems. FTA regulations exclude trains operating on the interstate rail system. (The Federal Railroad Association separately regulates the interstate rail system.)

Rail transit operators develop safety plans and submit them to WSDOT for approval. WSDOT verifies that plans are consistent with federal guidelines, monitors safety reporting requirements, and investigates reported incidents.

Summary of Bill: Changes to existing statues now match WSDOT standards and comply with updated federal requirements.

Recent changes in federal law require that each rail transit operator prepare two separate plans: a System Safety Program Plan (SSPP), and a System Security and Emergency Preparedness Plan (SEPP).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In order to allow sufficient time to establish a system safety program, rail transit operators must submit SSPP and SEPP plans to WSDOT 180 days before the plans go into effect.

In response to updated FTA requirements, rail transit operators must notify WSDOT of reportable incidents within two hours.

WSDOT charges rail transit operators an annual fee to offset the costs associated with overseeing and reviewing the two plans.

Rail transit operators affected are:

- Sound Transit Link Light Rail;
- Seattle Center Monorail;
- Seattle South Lake Union Streetcar (after operation begins in 2007);
- Sound Transit Central Link Light Rail (after operation begins in 2009); and
- Seattle Waterfront Streetcar (when operation resumes).

Appropriation: \$136,000 for 2007-2009 from the multimodal transportation account.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This will bring Washington into compliance with federal law. WSDOT will set by rule the fee to cover costs of oversight; anything collected over WSDOT's costs will be refunded. Violating federal law could risk eligibility for federal grants.

OTHER: Some concern regarding the fiscal impact; regional transit authority representatives would like to work with WSDOT regarding rules pertaining to the fees assessed.

Persons Testifying: PRO: Ron Sheck, WSDOT.

OTHER: Ron Main, Sound Transit.

House Amendment(s): The following changes are made:

- Information in rail transit plans which is currently exempt from public disclosure continues to remain exempt; and
- Fees imposed by WSDOT are limited to direct costs related to the department's responsibility overseeing the rail transit safety and security plans, and must be in proportion to the department's effort for each plan.